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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/734,068

12/10/2003

Shawn R. Irwin

356-64615

1846

24197

7590

06/15/2006

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EXAMINER

KING, ANITA M

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/734,068	<b>Applicant(s)</b> IRWIN ET AL.	
	<b>Examiner</b> Anita M. King	<b>Art Unit</b> 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 42-45, 47-52, 54, 55 and 60-68 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 42-45, 51, 52 and 60-63 is/are allowed.
- 6) ☒ Claim(s) 47-50, 54, 55 and 64-68 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/22/06</u> . | 6) <input type="checkbox"/> Other: _____  |

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This is the third office action for application number 10/734,068, Modular Dental Chair Equipment Mounting System, filed on December 10, 2003.

***Cancellation of Claims***

Claims 1-41, 46, 53, 56-59, 69, and 70 have been canceled per applicant's request.

***Response to Amendment***

After further review of the prior art reference to Betush ('630), the examiner respectfully withdraws the indicated allowable subject matter of claims 53-55. The examiner apologizes for the inconvenience. The rejection follows.

The status identifier for claims 42, 51, and 65-68 is non-compliant, the status identifier should be --(Previously Presented)-- as opposed to "(Previously Amended)". Correction is required.

***Claim Rejections – 35 USC § 102***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 47, 48, 54, 55, and 64-68 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 4,610,630 to Betush. Betush discloses a multi-segmented arm assembly for a dental chair (12), comprising: a link arm segment (bottom segment connected directly to the chair) for pivotable attachment to a rear of the dental chair; a

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first segment (10) coupled to the link arm segment; a second segment (14) pivotably connected to the first segment at a substantially vertical pivot axis; a third segment (18) pivotably connected to the second segment at a substantially horizontal pivot axis; a fourth segment (20) pivotably connected to the third segment at a substantially horizontal pivot axis; terminal segment (segment at the bottom of segment 20) pivotably connected to the fourth segment; a multi-function electronic control unit (22) coupled to one of the segments, the control unit having wiring extending through at least one of the segments; a parallelogram supporting structure (26) for at least one segment; wherein the control unit is coupled to the terminal segment; wherein the parallelogram supporting structure is configured for at the third segment (18); a parallelogram supporting structure for at least the third and fourth segments; wherein the link arm segment has a distal end and the first segment is connected to the link arm segment at the distal end of the link arm segment; wherein the first segment has a distal end and the second segment is connected to the first segment at the distal end of the first segment; wherein the second segment has a distal end and the third segment is connected to the second segment at the distal end of the second segment; wherein the third segment has a distal end and the fourth segment is connected to the third segment at the distal end of the third segment; and wherein the fourth segment has a distal end and the terminal segment is connected to the fourth segment at the distal end of the fourth segment.

***Claim Rejections – 35 USC § 103***

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 49 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Betush '630 in view of U.S. Patent 3,755,899 to Betush, hereinafter, Betush '899. Betush '630 discloses the claimed invention except for the limitation of the control unit being rotatably coupled to the terminal segment. Betush '899 teaches a multi-segmented arm assembly comprising: a link arm segment (12) for pivotable attachment a dental chair, a first segment (13) coupled to the link arm segment, a second segment (14) pivotably connected to the first segment, a third segment (17) pivotably connected to the second segment, a terminal segment (19) pivotally connected to the third segment, and multi-function control unit coupled to one of the segments, wherein the control unit is rotatably coupled to the terminal segment, and a tool holder (52). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the connection between the terminal segment and the control unit in Betush '630 to have been rotatable and to have included the control unit as taught by Betush '899 for the purpose of increasing the adjustability of the assembly to conform to the user and for providing a means to hold and store instruments.

***Allowable Subject Matter***

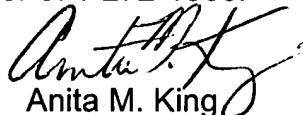
Claims 42-45, 51, 52, and 60-63 are allowed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (571) 272-6817. The examiner can normally be reached on Monday-Thursday.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Anita M. King  
Primary Examiner  
Art Unit 3632

June 12, 2006